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Homeland Security Oversight

WHOMEVER President Bush chooses as his next nominee to head the Department of Homeland Security would be well-advised to take a look at a spine-tingling new chart before accepting the job. The chart—too large to reprint here but available for viewing at www.hsc.house.gov—depicts the intricate web of congressional committees and subcommittees with oversight authority for the gargantuan department. There are 79 such panels; every single senator and at least 412 of the 435 House members have some degree of responsibility for homeland security operations. By contrast, the Defense Department, with a budget 10 times that of DHS, reports to “just” 36 committees and subcommittees.

From the perspective of national security, this fragmented, dysfunctional structure is sheer lunacy. Department officials spend too much time responding to their many congressional masters; last year alone, according to the departing secretary, Tom Ridge, he and other top department officials testified 145 times before various committees and subcommittees. Moreover, such balkanized oversight is less effective rather than more so, because members of Congress suffer from parochial viewpoints influenced by their individual committee assignments and fail to develop a broad overview of homeland security priorities.

The point of creating the department out of the existing bureaucracy was to improve the government's ability to coordinate its responses to terrorism. Yet turf is power, and lawmakers, reluctant to cede either, have been unwilling to make parallel changes in their own organization—despite the recommendations of the Sept. 11 commission and nearly every task force to study the question. Congress “has protected prerogative and privilege at the expense of a rational, streamlined committee structure,” former House speaker Tom Foley (D-Wash.) and former senator Warren Rudman (R-N.H.) said in a report issued this month by the

Center for Strategic and International Studies and Business Executives for National Security. “The result is a Department of Homeland Security that is hamstrung by a system of Congressional oversight that drains departmental energy and invites managerial circumvention.”

The House of Representatives has a chance to fix this mess—at least its end of it—but it's facing opposition to meaningful change from committee chairmen who don't want to yield any slice of their jurisdiction. The Senate has already done a fig-leaf version of reform, renaming the Senate Governmental Affairs Committee to put “Homeland Security” at the top of its title, but leaving responsibility for critical homeland security issues such as border control and aviation security in other committees. In the House, members will vote next week on a plan to make permanent the House Select Committee on Homeland Security, as Speaker J. Dennis Hastert (R-Ill.) has advocated. What's still being furiously negotiated is whether to give the panel the power it has lacked over issues including maritime security, transportation security and immigration enforcement—in other words, to make it a fully functioning homeland security committee rather than one that can't get its work done without the consent of competing congressional barons.

“It would be worse than an empty shell to have a homeland security committee with jurisdiction that's shared with everyone else,” says the committee's chairman, Rep. Christopher Cox (R-Calif.). The question before his colleagues, he says, is simple: “Is this a political exercise to make chairmen happy, or is this a historic opportunity to fundamentally reshape the committee structure to address homeland security?” How this question is resolved will be one of the first big tests of the 109th Congress—and one that will affect America's ability to deal with the threat of terrorism for many Congresses to come.